



# Air Resources Board



**Mathew Rodriguez**  
Secretary for  
Environmental Protection

**Mary D. Nichols, Chair**  
1001 I Street • P.O. Box 2815  
Sacramento, California 95812 • [www.arb.ca.gov](http://www.arb.ca.gov)

**Edmund G. Brown Jr.**  
Governor

September 6, 2016

Ms. Alexis Strauss  
Acting Regional Administrator  
U.S. Environmental Protection Agency  
Region 9  
75 Hawthorne Street  
San Francisco, California 94105

Dear Ms. Strauss:

In response to the U.S. Environmental Protection Agency (U.S. EPA) initiative to speed action on revisions to the California State Implementation Plan (SIP), staff from U.S. EPA, the Air Resources Board (ARB), and the South Coast Air Quality Management District (District) have been working to prioritize items for U.S. EPA action and identify submittals no longer appropriate for inclusion in the SIP.

The District has determined that a number of their local rules no longer need to be included in the SIP. On May 31, 2016, the District requested withdrawal of these rules from the California SIP and on August 5, 2016, the District sent a revised request (copies enclosed). As the agency designated under California law to make revisions to the California SIP, ARB now formally withdraws the District rules listed in Table 1 (enclosed) from the SIP.

If you have any questions, please have your staff contact Ms. Karen Magliano, Chief, Air Quality Planning and Science Division at (916) 322-5350, or via email at [Karen.Magliano@arb.ca.gov](mailto:Karen.Magliano@arb.ca.gov).

Sincerely,

  
Richard W. Corey  
Executive Officer

Enclosures

cc: See next page.

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.*

California Environmental Protection Agency

Ms. Alexis Strauss  
September 6, 2016  
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cc: Wayne Nastri  
Acting Executive Officer  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, California 91765

Mr. Andrew Steckel, Chief  
Rulemaking Office  
U.S. Environmental Protection Agency  
Region 9  
75 Hawthorne Street  
San Francisco, California 94105

Ms. Karen Magliano, Chief  
Air Quality Planning and Science Division

**Table 1****South Coast Air Quality Management District Rules to Withdraw from SIP**

<b>Rule</b>	<b>Date Submitted to U.S. EPA</b>	<b>Description</b>
Southeast Desert 1-Hour Ozone Redesignation Request	5/4/04	South Coast Portion of Nonattainment Area
1302	10/20/05	NSR Definitions
219	5/13/14	Equipment Exempt from Written Permit
1612	12/19/97	Credits for Clean On-Road Vehicles
1613	3/10/98	Credits for Truck Stop Electrification
1620	12/19/97	Credits for Clean Off-Road Mobile Equipment
2501	12/19/97	Air Quality Investment Program
2503	5/18/98	Enforceable Procedures
2506	5/26/00	Area Source Credits





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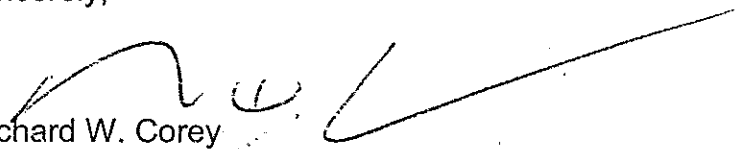
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Enclosures

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California Environmental Protection Agency

Ms. Alexis Strauss  
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Page 2

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Acting Executive Officer  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, California 91765

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Rulemaking Office  
U.S. Environmental Protection Agency  
Region 9  
75 Hawthorne Street  
San Francisco, California 94105

Ms. Karen Magliano, Chief  
Air Quality Planning and Science Division

**Table 1**

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2506	5/26/00	Area Source Credits







## South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • www.aqmd.gov

*Office of the Executive Officer  
Wayne Nastri, Acting  
909.396.2100, fax 909.396.3340*

August 5, 2016

Mr. Richard Corey, Executive Officer  
Ms. Carol Sutkus, Manager, South Coast Planning Section  
California Air Resources Board  
1001 "I" Street  
Sacramento, CA 95814

RE: *Request to Withdraw SIP Submittal—Amendment to Rule 219*

Dear Mr. Corey and Ms. Sutkus:

As you may recall SCAQMD sent a letter dated May 31, 2016 to Ms. Deborah Jordan, Air Director EPA Region 9, requesting withdrawal of certain SIP submittals, including as Item 3 the 2004 Amendment to Rule 219. (Copy enclosed.) Upon further discussion with EPA, we have agreed that the proper reference should be to withdraw the May 2013 Amendment to Rule 219. This is because EPA interprets, and we agree, that subsequent versions of a rule, once submitted into the SIP, replace and supersede previously submitted versions that have not yet been acted upon, at least unless specified otherwise. Those previous submittals are no longer in EPA's backlog. Therefore, withdrawing the most recent version will leave the most recently SIP-approved version of Rule 219 in effect.

Please consider this letter as making the request to withdraw the May 2013 amendment to SCAQMD Rule 219. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wayne Nastri', is written over a horizontal line.

Wayne Nastri  
Acting Executive Officer

WN:BBB:pa  
e:\share\barbara\aqmp\219 sip.docx

Enclosure: As noted

cc: Deborah Jordan, EPA Air Director Region 9  
Andrew Steckel, EPA Region 9  
Philip M. Fine, Ph.D., Deputy Executive Officer  
Barbara Baird, Chief Deputy Counsel  
Henry Hogo, Assistant Deputy Executive Officer





## South Coast Air Quality Management District



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*Office of the Executive Officer*  
*Wayne Nastri, Acting*  
909.396.2100, fax 909.396.3340

May 31, 2016

Ms. Deborah Jordan  
Air Director, Region 9  
U.S. Environmental Protection Agency  
75 Hawthorne Street (AIR-1)  
San Francisco, CA 94105

Re: Request to Withdraw SIP submittals

Dear Ms. Jordan:

In response to our conversations and your e-mail of April 13, 2016, the South Coast Air Quality Management District respectfully requests that the following SIP submittals be withdrawn:

1. Southeast Desert One-hour Ozone Redesignation Request – South Coast portion

Explanation: The one-hour ozone standard has been revoked so formal redesignation is no longer necessary. EPA has issued a Clean Data Determination which cuts off liability for § 185 fees.

2. Rule 1302 – NSR Definitions (2002 Amendment)

This rule amendment is not approvable because it sets 100 tpy as the SO<sub>x</sub> threshold for “major polluting facility” whereas it should have been 70 tpy given that SO<sub>x</sub> is a precursor of PM<sub>10</sub> (for which the South Coast Air Basin was “serious” in 2002) and for PM<sub>2.5</sub> (for which the South Coast Air Basin has now been classified as “serious”).

SCAQMD still plans to bring a proposed amendment correcting this deficiency to the Governing Board in November, 2016.

3. Rule 219 – Equipment Exempt from Written Permit (2004 Amendment)

This amendment (Rule 219(q)) thresholds do not comply with SB 700 which prohibits a district from requiring permits from agricultural services with actual emissions less than the major source threshold, unless it makes certain findings. H & S Code § 42301.16(c). The threshold for

SO<sub>x</sub> should be 35 tpy instead of 50, whereas the threshold for CO should be 50 tpy instead of 25 tpy.

SCAQMD Staff intends to bring an amendment to the Governing Board correcting this error in December, 2016.

4. Rule 1612 – Credits for Clean On-Road Vehicles, Rule 1613 – Credits for Truck Stop Electrification, Rule 1620 – Credits for Clean Off-Road Mobile Equipment.

These mobile source credit rules date from 1997 and have been identified by EPA as no longer being surplus. SCAQMD staff agrees. Moreover, mobile source credit/incentive programs are being comprehensively reevaluated as part of the 2016 AQMP and resulting rulemakings.

5. Rule 2501 – Air Quality Investment Program, Rule 2503 – Enforceable Procedures, and Rule 2506 – Area Source Credits.

EPA has identified various approvability issues with these rules. SCAQMD staff intends to work with EPA to develop approvable area source credit rules, as specified by H & S Code §§ 40714.5 and 40440.1.

Other rules:

SCAQMD staff requests that the following rules remain in the backlog temporarily because they will become approvable once EPA approves the amended versions of Rules 1302 and 219:

- Rules 1303, 1306, and 1309 (2002 Amendments)
  - These rules are dependent on amending Rule 1302
- Rules 201.1, 201, 202, 203, and 222 (2004 Amendments)
  - These rules are dependent on amending Rule 219.

Other SIP Submittals:

These submittals are also not being withdrawn:

1. Coachella Valley PM<sub>10</sub> Redesignation Request

SCAQMD staff intends to either submit a new redesignation request with updated data to supersede the 2010 request, or to submit updated data to EPA to support a Clean Data Determination.

Deborah Jordan  
U. S. Environmental Protection Agency  
May 31, 2016  
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2. Rule 430 – Breakdown Provisions

SCAQMD staff wishes to have further discussions with EPA before deciding the appropriate action.

3. Rules 3501 and 3502 (Railroad idling Rules) (mentioned in email)

SCAQMD staff wishes to have further discussions with EPA staff and the railroads before determining the appropriate course of action for these rules.

Please contact me if you have any questions at (909) 396-2100.

Sincerely,



Wayne Mastri  
Acting Executive Officer

WN:BB:pa

cc: Philip M. Fine, Ph.D., Deputy Executive Officer  
Barbara Baird, Chief Deputy Counsel  
Henry Hogo, Assistant Deputy Executive Officer

